Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Monday, 27th March 1978 / 6th Chaithra 1900 [No. 218

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 12040/LA1/77. *Dated, Trivandrum, 27th March,* 1978.

In exercise of the powers conferred by sub-clause (a) of Clause 2 of Article 174 of the Constitution of India, as amended, the Governor of the State of Kerala hereby prorogues the Third Session of the Fifth Kerala Legislative Assembly with effect from March 23, 1978.

ഭേദഗതി വരുത്തപ്പെട്ട ഇൻഡ്യൻ ഭരണഘടന 174-ാംവകുപ്പ് 2-ാം ഖണ്ഡം (എ) ഉപഖണ്ഡപ്രകാരം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള സംസ്ഥാന ഗവർണ്ണർ അഞ്ചാം കേരള നിയമസഭയുടെ മൂന്നാം സമ്മേളനം 1978 മാർച്ച് 23-ാം തീയതി മുതൽ ഇതിനാൽ സമാപിപ്പിച്ചിരിക്കുന്നു.

By order of the Governor,

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1978.

33/1098/MC.

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Government of Kerala
1978

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 12626-Leg. (C2)/77/Law. *Dated, Trivandrum, 27th March,* 1978/ *6th Chaithra,* 1900.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 23rd day of March, 1978.

By order of the Governor,

K. Viswanathan Nair,
Additional Law Secretary.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1978.

33/1099/MC.

ACT 16 OF 197

THE KERALA PANCHAYATS (SECOND AMENDMENT) ACT, 1978

An Act further to amend the Kerala Panchayats Act, 1960.

Preamble.—WHEREAS it is expedient further to amend the Kerala Panchayats Act, 1960, for the purpose hereinafter appearing;

BE it enacted in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Panchayats (Second Amendment) Act, 1978.

2. *Amendment of section 66A.*—In section 66A of the Kerala Panchayats Act, 1960 (32 of 1960),—

(a) to sub-section (1), the following proviso shall be added, namely:—

"Provided that no such cess shall be leviable for any period in respect of which land cess has been levied under this section as originally enacted.";

(b) sub-section (1A) shall be omitted.

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1978

Reg. No. KL/TV/12

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GOVERNMENT OF KERALA

Water and Transport (Transport-B) Department

NOTIFICATION

No. G.O. (P) 20/78/W&T. *Dated, Trivandrum, 25th March 1978.*

S. R. O. No. 255/78.—In exercise of the powers coferred by sub-sections (1) and (2) of Section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Government of Kerala hereby make the following amendments to the Kerala Motor Vehicles Rules, 1961, the same having been previously published as required by sub-section (1) of section 133 of the said Act, namely:—

AMENDMENTS

In the said Rules, (i) for rule 202A, the following shall be substituted, namely:—

"202A. *Provisions relating to composite permits for public carrier goods vehicles issued under the Revised Special Reciprocal Agreement entered into between the States of Andhra Pradesh, Karnataka, Kerala, Maharashtra, Tamil Nadu, Goa and Pondicherry.*—(1) In this rule, unless the context otherwise requires—

(a) "Composite permit" means a permit issued under sub-section (1) of section 56 of the Act, in respect of a public carrier goods vehicle, in accordance with the terms and conditions of the Revised Special Reciprocal Agreement entered into between the

States of Andhra Pradesh, Karnataka, Kerala, Maharashtra, Tamil Nadu, Goa and Pondicherry; and shall include any such permit in force, issued under the earlier Special Reciprocal Agreement entered into between the States of Andhra Pradesh, Karnataka, Kerala, Maharashtra and Tamil Nadu.

(b) "Home State" referred to in this rule means the State from which the composite permit is issued.

(c) "Revised Special Reciprocal Agreement" means the agreement entered into between the States of Andhra Pradesh, Karnataka, Kerala, Maharashtra, Tamil Nadu, Goa and Pondicherry on the 12th June, 1974 and brought into force from the 1st July 1975, for the purpose of issuing composite permits to public carrier goods vehicles to promote long distance Inter-State Transport of goods by road between the aforesaid States, revising and superseding the earlier Special Reciprocal Agreement.

(d) "Special Reciprocal Agreement" means the earlier Reciprocal Agreement entered into between the States of Andhra Pradesh, Karnataka, Kerala, Maharashtra and Tamil Nadu for the purpose of issuing composite permits in supersession of which the revised Special Reciprocal Agreement was entered into subsequently including Goa and Pondicherry also.

(e) "Signatory State" means a State included as a party to the earlier Special Reciprocal Agreement or the Revised Special Reciprocal Agreement.

(f) "Competent Authority" means the State Transport Authority or the Regional Transport Authority concerned of a signatory State authorised to issue composite permits.

(2) (a) The State Transport Authority, Kerala, shall be the competent authority to grant composite permits in Kerala State.

(b) An applicant for a composite permit under the Revised Special Reciprocal Agreement shall choose a minimum of five States, that is, the Home State and any four other States out of the remaining six, for operation. An option once exercised will not be allowed to be changed before a period of one year.

(3) (a) A composite permit issued by the competent authority of any of the signatory States shall be valid without countersignature in the areas of the other signatory States.

(b) A composite permit issued by the State Transport Authority, Kerala may also authorise the use of the vehicle in Kerala State in routes other than the National and State Highways, subject to local restrictions.

(c) A composite permit issued by the competent authority of each signatory State shall be valid on the routes and areas chosen for operation in the other signatory States as specified in Annexure VI of the Revised Special Reciprocal Agreement. The composite permits shall also be valid on such other National Highways and State Highways as may be notified from time to time by the Governments of the signatory States. It shall also be open to the permit-holder to deviate from the specified routes to the extent not exceeding 30 Kms., on either side of the specified routes.

(4) A composite permit shall be granted only to a vehicle—

(a) which is not more than four years old at the time of the grant, reckoned from the date of its registration as new;

(b) which has a registered ladden weight not less than 10,000 Kgs., or not more than 16,000 Kgs., in the case of rigid chassis vehicle and not less than 10,000 Kgs., and not more than 20,000 Kgs., in the case of an articulated vehicle or a tractor-trailer combination.

(5) An authorisation in "Form S. R. A.—AUTH" shall he issued to the permit-holder of a composite permit under the signature and seal of the competent authority; and such authorisation shall correspond to the period for which the advance payment has been received, provided that the authorisation at one time shall not exceed a period of one year.

(6) A vehicle plying under authorisation issued under the Reciprocal Agreement may be stopped and inspected for the purpose of enforcement of the provisions of this agreement, only by an officer of the rank not below an Assistant Motor Vehicles Inspector of the Motor Vehicles Department or a Sub Inspector of the Police Department. Such an Inspecting Officer shall serve one copy of the check report on the person in charge of the vehicle and forward one copy to the Secretary, State Transport Authority of Kerala State and another copy to the Secretary, State Transport Authority of the Home State, for appropriate action by that authority.

(7) Whenever the transfer of a composite permit is allowed, the authorisation granted to the vehicle under this Special Reciprocal Agreement shall also be transferred by the authority concerned.

(8) The following shall be the conditions of every composite permit:—

(a) While operating in any area outside Kerala State, goods shall not be picked up or set down between any two points lying wholly within the jurisdiction of any one of the reciprocating States. that is, in such cases the vehicle shall be prohibited from carrying any intra-State business.

(b) Goods shall not be picked up or set down between two points situated in different States which are at a distance of less than 50 Kms.

(c) The vehicle shall be painted in deep maroon colour with Zebra lines of alternate black and yellow colour on the front bumper and the rear tail board. A board with the following inscription with yellow letters on black background shall also be carried so as to be clearly visible, above the "Public Carrier" board.

COMPOSITE PERMIT

(Under Reciprocal Agreement)

Valid in

Andhra Pradesh, Kerala, Maharashtra, Karnataka,

Tamil Nadu, Pondicherry & Goa *

(d) The vehicle covered by a composite permit shall have two drivers; and shall be provided with a seat across the full width of the vehicle behind the driver's seat, providing facility for the spare driver to stretch himself and sleep.

(e) The vehicle shall at all times carry Bill/Bills of Lading in Form SRA. 1AD. The goods conveyed shall be in conformity with the declaration in the Bill/Bills of Lading.

(f) Quarterly returns in Form SRA., QLY., shall be submitted by the permit-holder to the Secretary, State Transport Authority of Kerala State in "quintuplicate" to reach him not later than the 30th of the month succeeding the quarter concerned, who in turn shall forward copies thereof to the Secretaries, State Transport Authorities of the other signatory States.

(g) The vehicle shall conform to and comply with all the provisions of the Act and the rules made thereunder and all the laws in force from time to time in the Home State governing motor vehicles

(h) The vehicle shall be subject to the weight and speed restrictions prescribed by the competent authority of the State in the area of which the vehicle may be plying for the time being.

(i) The vehicle shall at all times carry a valid certificate of fitness, a certificate of insurance against third party risks, the certificate of registration, the Composite Permit and the "Authorisation under Special Reciprocal Agreement".

(j) All taxes due to the Signatory States in respect of the vehicle shall be paid in accordance with the provisions of the Special Reciprocal Agreement.

* Strike out the names of States not applicable.

(k) The vehicle as soon as it becomes nine years old recokned from the date of its registration as new, shall be replaced by a later model vehicle with the previous approval of the State Transport Authority of the Kerala State.

(l) If the vehicle is kept under non-use for a period of six months at a stretch and 15 months in all, its permit shall be liable to be cancelled. The competent authority of the Home State shall be the deciding authority in such cases.

(9) The following fees shall accompany every application for grant, renewal and transfer of a composite permit and for sanction to replace the vehicle covered by a composite permit, in respect of each vehicle:—

		Rs.
(a)	Grant of permit	150
(b)	Renewal of permit	100
(c)	Transfer of permit	150
(d)	Replacement of vehicle covered by the permit	100

(10) The provisions of the Act and these rules relating to the grant, transfer, revocation and suspension of permits and other ancillary matters shall apply to the grant, transfer, revocation and suspension of the composite permits and similar ancillary matters, except to the extent indicated in this rule."

(ii) for "Form SRA-AUTH", the following Form shall be substituted:

"FORM SRA-AUTH

Authorisation under Reciprocal Agreement (*See* rule 202A of the Kerala Motor Vehicles Rules, 1961) (Valid in the States of Andhra Pradesh, Kerala, Maharashtra, Karnataka, Tamil Nadu, Pondicherry and Goa).

No.

1. Name in full
   (Starting with surname and complete address)
2. Registration Mark
3. Engine Number
4. Chassis No.
5. Original Permit No.
6. Permit issuing authority
7. Make
8. Year of manufacture
9. R. L. W.

10. U. L. W.

11. Pay load

12. Period of validity of the authorisation:

13. Valid for the States:— From to

1.
2.
3.
4.
5.
6.
7.

(Seal of the competent Authority) (Signature of the competent Authority)

Note:—The name of the State not chosen, if any, for operation should be struck out while issuing the authorisation."

(iii) for the "Certificate of payment of tax under Special Reciprocal Agreement—Rate of Annual Tax", under "FORM SRA—AtTII", the following shall be substituted:—

"CERTIFICATE OF PAYMENT OF TAX UNDER RECIPROCAL AGREEMENT

Rate o. Annual Tax

Name of the States for which payment made	*Amount*	*No. and date of the Bank Draft/ Drafts*	*Payable to*	*Peroiod for which paid*	*Name of the bank issuing the draft and payable at*	*Registration Number of the vehicle*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.						
2.						
3.						
4.						
5.						
6.						
7.						

Signature and seal of the Authority.

ABSTRACT OF CONDITIONS OF COMPOSITE PERMIT

1. (a) A composite permit issued by the State Transport Authority, Kerala, may also authorise the use of the vehicle in Kerala State in routes other than the National and State Highways, subject to local restrictions.

   (b) A composite permit issued by the competent authority of each signatory State shall be valid on the routes and areas chosen for operation in the other signatory States as specified in Annexure VI of the Revised Special Reciprocal Agreement. The composite permits, shall also be valid on such other National Highways and State Highways as may be notified from time to time by the Governments of the signatory States. It shall also be open to the permit-holder to deviate from the specified routes to the extent not exceeding 30 kms. on either side of the specified routes.

2. (a) While operating in any area outside Kerala State, goods shall not be picked up or set down between any two points lying wholly within the jurisdiction of any one of the reciprocating States, that is, in such cases, the vehicle shall be prohibited from carrying any intra-State business.

   (b) Goods shall not be picked up or set down between two points situated in different States which are at a distance of less than 50 kms.

3. (a) The vehicle shall be painted in deep maroon colour with Zebra lines of alternate black and yellow colour on the front bumper and the rear tail board. A board with the following inscription with yellow letters on black background shall also be carried so as to be clearly visible, above the "Public Carrier" board:—

   COMPOSITE PERMIT

   (Under Reciprocal Agreement)

   Valid in

   Andhra Pradesh, Kerala, Maharashtra, Karnataka, Tamil Nadu, Pondicherry and Goa**

   (b) The vehicle covered by a composite permit shall have two drivers; and shall be provided with a seat across the full width of the vehicle behind the driver's seat, providing facility for the spare driver to stretch himself and sleep.

4. The vehicle shall at all times carry Bill/Bills of Lading in Form SRA. LAD. The goods conveyed shall be in conformity with the declaration in the Bill/Bills of Lading.

** Strike out the names of States not applicable.

5. Quarterly Returns in form SRA-QLY shall be submitted by the permit-holder to the Secretary, State Transport Authority of Kerala State in quintuplicate to reach him not later than the 30th of the month succeeding the quarter concerned, who in turn shall forward copies thereof to the Secretaries, State Transport Authorities of the other signatory States.

6. The vehicles shall conform to and comply with all the provisions of the Motor Vehicles Act, 1939 and the rules made thereunder and all the laws in force from time to time in the Home State governing Motor Vehicles.

7. The vehicle shall be subject to the weight and speed restrictions prescribed by the competent authority of the State in the area of which the vehicle may be plying for the time being.

8. The vehicle shall at all times carry a valid certificates of fitness, a Certificate of Insurance against third party risks, the certificate of registration, the composite Permit and the Authorisation under Special Reciprocal Agreement.

9. All taxes due to the signatory States in respect of the vehicle shall be paid in accordance with the provisions of the Special Reciprocal Agreement.

10. The vehicle as soon as it becomes seven years old reckoned from the date of its registration as new, shall be replaced by a later model vehicle with the previous approval of the State Transport Authority of the Kerala State.

11. If the vehicle is kept under non-use for a period of six months at a stretch and 15 months in all, its permit shall be liable to be cancelled. The competent authority of the Home State will be the deciding authority in such cases.".

(iv) for the existing "Form SRA-QLY" the following shall be substituted:—

"FORM SRA-QLY

RECIPROCAL AGREEMENT—QUARTERLY RETURN

(*See* Rule 202 A of the Kerala Motor Vehicles Rules, 1961)

1. Name of the Operator and address
2. Registration mark of vehicle
3. Composite permit Number.

Month	Summary of trips made during the quarter								
	Total distance covered in the State/Union Territories of							Total distance of operation	Remarks
	Andhra Pradesh	*Kerala*	*Maharashtra*	*Karnataka*	*Tamil Nadu*	*Pondicherry*	*Goa*		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Signature of the permit holder:

Date:

(In remarks column, state reasons for low or high running in any particular State or State or States/Union Territory and any other points which caused low operation)."

By order of the Governor,

G. GOPALAKRISHNA PILLAI,

Secretary to Government.

Explanatory Note

(This is not a part of the Amendment, but is intended to indicate the general purport).

At the instance of the inter-State Transport Commission, the Government of Kerala entered into a Special Reciprocal Agreement with the States of Andhra Pradesh, Tamil Nadu, Maharashtra and Mysore with a view to encourage long distance and inter-State Transport of goods by road. According to the agreement, a specified number of public carrier goods vehicles with composite permits issued by the Transport Authority of this State may ply in the other four signatory States without countersignature, subject to the special terms and conditions specified in the permit. Similarly, a specified number of public carrier goods vehicles with composite permits issued by the Transport Authorities of the signatory States may ply in this State without countersignature.

In order to implement the terms of the Agreement, necessary provisions were made in rule 202 A of the Kerala Motor Vehicles Rules, 1961 and the Forms appended thereto.

(Published in the Kerala Gazette Extraordinary No. 107 dated 23-12-1966).

The term of the above Agreement was initially for a period of five years from 1-1-1967. This was further extended for another period of five years: (to be valid till 31-12-1976) by the agreement dated 4th March 1972. It was also decided by the agreement dated 4-3-1972 to revise and supersede the earlier agreement by a new agreement allowing the Union Territories of Goa and Pondicherry also to be parties of the new agreement. The revised Special Reciprocal Agreement, including Goa and Pondicherry also, has been entered into on 12-6-1975 and brought into force from 1st July 1975 (published in the Kerala Gazette Extraordinary No. 331 dated 1-7-1975). In order to implement the terms of the Revised Agreement, certain changes are necessary in the provisions made in Rule 202A of the Kerala Motor Vehicles Rules 1961 and the forms appended thereto. The amendments are intended to achieve the above object.".

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GOVERNMENT OF KERALA

Taxes (D) Department

NOTIFICATION

G.O. Ms. No. 34/78/TD. *Dated, Trivandrum, 22nd March, 1978.*

S.R.O. No. 256/78.—In exercise of the powers conferred by sub-sections (2) and (3) of section 15 of the Agricultural Income-tax Act, 1950 (XXII of 1950), the Government of Kerala hereby make the following amendments to their Notification IV published under G.O. Ms. No. 806/Rev/61 dated 30th August, 1961 as S.R.O. No. 204/61 at pages 22 to 36 of the Kerala Gazette Extraordinary No. 101 dated the 30th August 1961, as subsequently amended, namely:—

AMENDMENTS

In the Schedule to the said Notification,

(i) for item 47 (A) and the entries against it in columns (1) to (4), the following item and entries shall be substituted namely:—

(1)	(2)	(3)	(4)
"47. A. Agricultural Income-Tax Officer, Agricultural Income-tax Office, Thodupuzha	Agricultural Income-tax Officer	All the powers of the Agricultural Income-tax Officer	Thodupuzha Taluk.";

(ii) for items 104 and 105 and the entries against in columns (1) to (4) the following items and the entries shall be substituted, them namely:—

(1)	(2)	(3)	(4)
"104 Agricultural Income-tax Inspector, Agricultural Income-tax Officc, Thodupuzha.	Agricultural Income-tax Officer	All the powers of the Agricultural Income-tax Officer	Thodupuzha Taluk.
105 Agricultural Income-tax Inspector, Agricultural Income-tax Office, Muvattupuzha.	Agricultural Income-tax Officer	All the powers of the Agricultural Income-tax Officer	Muvattupuzha, Thodupuzha and Kothamangalam taluks.".

By order of the Governor,

J. S. Jesudhasan,
Special Secretary to Government.

Explanatory Note

(This note is not part of the amendment but is intended to indicate its general purport)

The Agricultural Incometax Office, Muvattupuzha has at present jurisdiction over the revenue taluks of Muvattupuzha and Thodupuzha.

As per G.O. Ms. 32/77/TD dated 1-4-1977 sanction was accorded for the formation of a new Agricultural Income tax Office at Thodupuzha, for Thodupuzha taluk by bifurcating the Agricultural Incometax Office, Muvattupuzha. The Officers in the Agricultural Incometax Office, Thodupuzha have to be vested with powers under the Agricultural Incometax Act, 1950 and the Rules made thereunder. There will be only one Agricultural Income-tax Inspector left in the Agricultural Incometax Office, Muvattupuzha; hence the qualification Agricultural Incometax Inspector-II, Muvattupuzha is reduntant and to be removed.

This Notification is intended to achieve the above object.

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